

REMARKS

I. Claim Objections

The Examiner objected to claims 1 and 2 because of the use of the term “inspect.” Applicants has amended claim 1 and cancelled claim 2 to overcome the objection.

II. Claim Rejections – 35 U.S.C. § 112

The Examiner rejected claims 1 and 2 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, The Examiner found the term “the temperature of the carbon dioxide” lacked an antecedent basis.

Applicant has amended claim 1 and cancelled claim 2 to overcome the rejection.

III. Claim Rejections – 35 U.S.C. § 102

The Examiner rejected claim 1 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,145,243 to Wigdon et al. (hereinafter “Wigdon”).

Applicant has amended claim 1. Wigdon does not disclose providing a valve command signal to open and close a fuel providing valve at a first frequency when carbon dioxide temperature is below a reference value and providing a valve command signal to open and close a fuel providing valve at a second frequency when carbon dioxide temperature is above the reference value as claimed in amended claim 1. Wigdon describes a bi-metal switch 100 installed on heat exchanger 104 that simply closes safety valve 58 if: 1) the temperature of heat

sink 104 exceeds about 180 deg F. (col. 6, lines 36-37); or 2) thermocouples 98 are not warm enough to provide current sufficient to energize the coil that holds safety valve 58 in an open position (e.g., propane tank 14 runs out of fuel). Wigdon does not describe opening and closing valve 58 at any frequency. Thus, amended claim 1 is patentable over Wigdon.

Claims 2-7 are dependent on amended claim 1 and patentable for at least the same reasons.

IV. Allowable Subject Matter

The Examiner indicated that Claim 2 would be allowable if rewritten to overcome the rejections under 35 U.S.C. § 112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

Applicants appreciate the indication of allowance and have added new claims 8-13, accordingly.

V. Conclusion

Applicants respectfully contend that all claims are in condition for allowance and that all claims be allowed.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Matthew B. Loftus", is written over a horizontal line.

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